HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO. 18730 OF 2006

DATED: 11.9.2006

Between:

The Ongole Mandal Schedule Caste
Agricultural Lands Assignees Welfare
Association

… Petitioner

and

The Superintendent of Police,
Prakasam District and another

… Respondents

HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO. 18730 OF 2006

ORAL ORDER:

The grievance of the petitioner-The Ongole Mandal Scheduled Caste Agricultural Lands Assignees Welfare Association is that the 2nd respondent is not diligently investigating Cr.No.353 of 2005, despite the fact that it is registered on 20.11.2005.

The complaint, which has been registered, is that during the currency of orders under Section 145 of the Code of Criminal Procedure dated 24.1.2005 prohibiting members of the petitioner-association as well as some "upper caste community people" from entering into the specified lands, the "upper caste community people" have entered into the disputed lands. The petitioner does not assert that the 2nd respondent is whiling away his time without investigating any of the pending cases before the 2nd respondent-police station.

In the aforesaid circumstances, no Mandamus need be issued to investigate into a particular crime expeditiously. As the petitioner has failed to show that the 2nd respondent has either abdicated his statutory responsibility or is acting negligently, no relief could be issued. There is no warrant for presuming that the 2nd respondent has

failed to perform the statutory obligations.

Another grievance of the petitioner is that the 2nd respondent has not arrested any of the persons belonging to the "upper caste community people". Nothing is disclosed in the writ petition as to why a custodial interrogation of any person is inevitable in the context of the complaint registered as Cr.No.353 of 2005.

For the aforesaid reasons, there are no merits. The writ petition is dismissed. No costs.

GODA RAGHURAM, J

Date: 11.9.2006
cvm